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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,790	06/29/2001	Peter Stanforth	1710.002	1219

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EXAMINER

CORSARO, NICK

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/897,790

**Applicant(s)**

STANFORTH, PETER

**Examiner**

Nick Corsaro

**Art Unit**

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 32-40 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 32-34 is/are allowed.  
6) ☒ Claim(s) 35-40 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 04/03, 09/03.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 04/02/2003, 09/14/2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file and the supplied documents considered, but several items, as listed below, referred to therein have not been considered.

The following items have not been considered. The foreign patent documents and several non-patent literature documents were not included in the file. These documents are indicated as crossed through on the 1449's mailed with this document. For those documents to be considered copies must be supplied.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Valkenburg et al. (6,775,258) in view of Rautiola et al. (5,956,331).

Consider claim 35, Van Valkenburg discloses an ad-hoc radio system (see col. 1 lines 5-8). Van Valkenburg discloses a series of remote radio terminals each comprising a radio transceiver and a control processor, said control processor comprising software means for determining a routing path of a call, for communicating with other said radio terminals, and for

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establishing the respective said radio terminal as a hop for other said radio terminals during a call-connection (see col. 1 lines 40-61, col. 2 lines 53-67, col. 3 lines 1-5, col. 3 lines 11-20, col. 3 lines 34-44). Van Valkenburg discloses at least one access way (22, figure 8) in operative communication with said series of remote radio terminals (see col. 3 lines 5-20, col. 9 lines 32-47). Van Valkenburg discloses a plurality of wireless routers (18-3/16, figure 8) in operative connection between said series of remote terminals and said at least one access point for wirelessly interconnecting said series of radio terminals and for wirelessly interconnecting said series of radio terminals to said at least one access way (see col. 9 lines 32-46, col. 5 lines 3-28, and col. 2 lines 52-61, where Van Valkenburg discloses any of the devices can be a source node or a router). Van Valkenburg discloses said remote radio terminals may indirectly communicate with each other through one or more said wireless routers and said at least one access way (see col. 3 lines 5-44, col. 5 lines 2-29, col. 9 lines 32-67, col. 10 lines 1-57, where Van Valkenburg discusses that the nodes can route to each other via other nodes and to the gateway and to other nodes).

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Van Valkenburg discloses an access point or access way from the wireless ad-hoc network to the wire line Internet (see col. 9 lines 65-67, col. 10 lines 1-16), however does not specifically disclose a gateway. Rautiola discloses a gateway (1, figure 1) (see col. 7 lines 17-44, col. 8 lines 60-67, and col. 9 lines 1-17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Van Valkenburg, and have a gateway, as taught by Rautiola, thus allowing the nodes to be connected to the internet when they are in a hierarchical

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tree structure where nodes are situated under other nodes with respect to their addresses, as discussed by Rautiola (col. 3 lines 42-64).

Consider claim 36 and 39, Van Valkenburg discloses an ad-hoc radio system (see col. 1 lines 5-8). Van Valkenburg discloses a series of remote radio terminals each comprising a radio transceiver and a control processor, said control processor comprising software means for determining a routing path of a call, for communicating with other said radio terminals, and for establishing the respective said radio terminal as a hop for other said radio terminals during a call-connection (see col. 1 lines 40-61, col. 2 lines 53-67, col. 3 lines 1-5, col. 3 lines 11-20, col. 3 lines 34-44). Van Valkenburg discloses at least one access way (22, figure 8) in operative communication with said series of remote radio terminals (see col. 3 lines 5-20, col. 9 lines 32-47). Van Valkenburg discloses a plurality of wireless routers (18-3/16, figure 8) in operative connection between said series of remote terminals and said at least one access way (see col. 9 lines 32-46, col. 5 lines 3-28, and col. 2 lines 52-61, where Van Valkenburg discloses any of the devices can be a source node or a router). Van Valkenburg discloses a method of connecting a call from a radio terminal of the ad-hoc radio system (see col. 1 lines 5-20). Van Valkenburg discloses routing the call to a said radio terminal via a said wireless router, relaying the call from the said wireless router to said at least one access way, connecting the call via said at least one gateway to another said radio terminal (see col. 9 lines 32-67, col. 10 lines 1-67, col. 1 lines 1-67, col. 3 lines 5-60, and col. 1 lines 40-67, where VanValkenburg discloses the access point is a blue tooth device and calls can be routed via any blue tooth device to another device and out over the internet to another device including a blue tooth device).

Van Valkenburg discloses an access point or access way from the wireless ad-hoc network to the wire line Internet (see col. 9 lines 65-67, col. 10 lines 1-16), however does not specifically disclose a gateway. Rautiola discloses a gateway (1, figure 1) (see col. 7 lines 17-44, col. 8 lines 60-67, and col. 9 lines 1-17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Van Valkenburg, and have a gateway, as taught by Rautiola, thus allowing the nodes to be connected to the internet when they are in a hierarchical tree structure where nodes are situated under other nodes with respect to their addresses, as discussed by Rautiola (col. 3 lines 42-64).

Consider claim 37, Van Valkenburg discloses routing the call through at least one wireless router (see col. 9 lines 32-46, col. 5 lines 3-28, and col. 2 lines 52-61, where Van Valkenburg discloses any of the devices can be a source node or a router).

Consider claim 38 and 40, Van Valkenburg discloses routing a call from a wireless mobile terminal via an Internet access way where upon a recording in a table of a routing path the call from a mobile or to a mobile is routed to a terminal over the Internet (see col. 9 lines 32-67 and col. 10 lines 1-67). Van Valkenburg does not specifically disclose a gateway such that the gateway upon recording in table provides such a service that table of routing path if further exemplified. Rautiola teaches a gateway such that the gateway upon recording in table provides such a service that table of routing path if further exemplified (see col. 8 lines 60-67, col. 9 lines 1-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Van Valkenburg, and have a gateway such that the gateway upon recording in table provides such a service that table of routing path if further exemplified,

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as taught by Rautiola, thus allowing the nodes to be connected to the internet when they are in a hierarchical tree structure where nodes are situated under other nodes with respect to their addresses, as discussed by Rautiola (col. 3 lines 42-64).

***Allowable Subject Matter***

3. Claims 32-34 are allowed.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okanoue et al. (6,307,843), discloses an ad-hoc network connected to a wired LAN with gateway interface.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nick Corsaro whose telephone number is 703-306-5616. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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